IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
Criminal Misc. Application no. 179 of 2005

1. Rupesh Kumar S/o Mahesh Chandra Bisht
2. Savitri Devi W/o Mahesh Chandra Bisht
3. Rupa D/o Mahesh Chandra Bisht
4. Nitesh S/o Mahesh Chandra Bisht
   All R/o 10 Nala Pani Road
   P.S. Raipur
   District Deheradun … Applicants

Versus

1. Additional District Judge/F.T.C. VII
   Dehradun
2. C.J.M. Dehradun
3. Anil Kumar S/o Shri Nar Singh
   R/o 249 Khurbura Mohalla
   Thana Kotwali
   Dehradun … Respondents

Ms. Sanjana Madan learned counsel for the applicants.
Sri Addl. Rab learned counsel for the State

Hon'ble B.C. Kandpal, J.

This is the petition filed by the petitioner under Section 482 Cr.P.C. for quashing the proceedings in Case No. 890 of 2003 Anil Kumar vs. Rupesh & others under Section 323, 504, 506 I.P.C. pending before the court of C.J.M., Dehradun.

Heard learned counsel for the parties and perused the record.

It reveals from the perusal of the record that the applicants were summoned by the court of C.J.M. vide order dated 18.07.2003 and this order was challenged by way of revision by the petitioners in the revisional court while judgment and order dated 15.03.2005 has dismissed the revision.

The order passed by the court below are exhaustive and every aspect of the case has been dealt with by the court concerned.

It is settled law that no detailed reasons for summoning the accused in the order is needed and proceedings under Section 482 Cr.P.C. cannot be disturbed on this count alone.

I do not find any serious miscarriage of justice and abuse of process of the court in this case. I also do not find that any mandatory provision of law has not been complied with.

The contention raised by the learned counsel for the petitioner related to question of facts, which can only be examined and assessed by the court below.

This court while exercising the jurisdiction under Section 482 Cr.P.C. can see only as to whether there is any abuse of process of court or not.

I do not find any justification for interfering in the matter by way of this petition.

The petition under Section 482 Cr.P.C. is accordingly dismissed.

(B. C. Kandpal, J.)

01.04.2005
ASWAL